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RIGHTS OF THE CHILD

Additional report of the Special Representative of the Secretary-General for Children and Armed Conflict, Mr. Olara Otunnu, submitted in accordance with General Assembly resolution 53/128

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Executive summary

In his recent report to the General Assembly (A/54/430), the Special Representative of the Secretary-General for Children and Armed Conflict has given a comprehensive account of activities undertaken by his Office in 1999. The report to the General Assembly, and the recommendations provided therein, should form the primary basis for discussion by the Commission on Human Rights of the work of the Special Representative in the period under review. The present additional report has been submitted to the Commission to supplement the report to the General Assembly.

With the recent adoption of an optional protocol to the Convention on the Rights of the Child raising the minimum age of participation in hostilities to 18, the Special Representative urges the international community to turn its energies to eliminating child soldiering on the ground, by: (a) advocating unequivocally for 18 as the minimum age for participation in conflict; (b) monitoring and compelling adherence by all parties in conflict to their commitments to protect children; (c) mobilizing international pressure against warring parties that abuse children by using them as combatants; (d) addressing the political, social and economic factors that facilitate the exploitation of children as soldiers; (e) responding to the rehabilitation needs of ex-child soldiers; and (f) broadening the focus of concern to embrace all children affected by conflict. The Special Representative also urges States, when ratifying the protocol, to deposit binding declarations, pursuant to its article 3, establishing 18 as the minimum age for voluntary recruitment into their national armed forces.

The Special Representative has embarked on a number of initiatives to enhance the protection of children exposed to armed conflict. In his visits to several countries, the Special Representative has obtained commitments from parties to conflict to take various measures for the protection of children. These commitments are summarized in the present report and updates are provided where relevant. The reports on the Special Representative's missions to Sierra Leone and Guinea and to Colombia are attached to this report as annexes I and II, respectively. The Special Representative calls on the Commission and the broader human rights community to join in monitoring these undertakings and ensuring that parties honour their commitments for the protection of children.

In order to address impunity for violations of child rights in the context of armed conflict, the Special Representative urges States to: ratify the Rome Statute of the International Criminial Court; ensure that national courts can exercise "universal jurisdiction" for egregious violations of child rights in the context of armed conflict; and implement fully Security Council resolution 1261 (1999).

The Special Representative urges the Commission to make the rights of war-affected children a central concern in all its activities and outcomes. To this end, all relevant reports to the Commission should include sections on the fate of war-affected children.

The Special Representative recommends that the Office of the High Commissioner for Human Rights (OHCHR) should elaborate strategies to systematically integrate child rights into

all its activities. This should include developing greater expertise on child rights, and the development of guidelines and monitoring manuals for its field offices and for the special procedures.

In order to strengthen the critical work of the Committee on the Rights of the Child, the Special Representative urges States parties to support the expansion of the Committee to 18 members.

The Special Representative has made it a priority to ensure that the protection of children affected by armed conflict becomes a major concern for the Security Council. On 25 August 1999, following a second open debate on this issue, the Council adopted a landmark resolution. Resolution 1261 (1999) provides a most important tool for advocacy on behalf of children affected by conflict. The Special Representative calls on the Commission and the wider human rights community to make systematic use of resolution 1261 as an advocacy tool and in their activities.

The Special Representative has made it a priority to advocate the integration of the protection and welfare of children into peace operations. To achieve this objective, he has proposed the systematic incorporation of three specific elements:

(a) The rights and protection of children must be explicitly incorporated into the mandates of relevant United Nations field operations that promote peace, prevent and resolve conflict and implement peace agreements ("peace operations"); this has now been realized in the United Nations Mission in Sierra Leone (UNAMSIL) and the United Nations Observer Mission in the Democratic Republic of the Congo (MONUC);

(b) Child Protection Advisers (CPAs) should be appointed to such missions to ensure the implementation of the child protection dimension of peace operation mandates. CPAs have now been authorized for UNAMSIL and MONUC;

(c) Training should be provided on the rights and protection of children to all peacekeeping personnel.

In his recent report to the General Assembly, the Special Representative has highlighted 18 recommendations, which he commends to the Commission for discussion and action. They include:

Launching an "era of application". The time has come for the international community to redirect its attention and energies from the juridical task of the development of norms to the political project of ensuring their application and respect on the ground. An "era of application" must be launched;

Strengthening local values. We must mobilize all our resources and social networks to promote and strengthen local value systems that have traditionally provided for the protection of children within societies, including in times of war;

Appeal to the business community The international business community must assume its social and corporate responsibility in the context of the systematic brutalization of children amidst armed conflict, by refraining from engaging in business that fuels war machines in such situations and by developing voluntary codes of conduct within their own industries to address this serious issue;

The fate of internally displaced persons (IDPs) The time has come for the international community to develop a more systematic response and framework for providing protection and practical support to internally displaced persons in countries affected by conflict, the vast majority of whom are women and children;

Building local capacities Much more needs to be done by the donor community, multilateral agencies and international non-governmental organizations (NGOs) to provide support to strengthen the capacities of national institutions, local NGOs and civil society organizations for protection and advocacy for children affected by armed conflict;

Demonstrating equal concern for children In order to maintain credibility and solidarity, it is critical for the international community to be seen to be responding with similar levels of concern wherever children are in need of protection and support;

The imperative of prevention Ultimately, the best way to protect children is to prevent conflicts before they occur or to resolve them before they assume destructive proportions. Both national and international actors have a responsibility to take political, economic and social measures to address fundamental issues of structural imbalance and exclusion, poverty and despair, manipulation of diversity and prolonged denial of democratic governance, all of which contribute significantly to generating conflicts.

I. INTRODUCTION

1. In his recent report to the General Assembly (A/54/430), the Special Representative of the Secretary-General for Children and Armed Conflict has given a comprehensive account of activities undertaken by his Office in the period since the submission of the first annual report (A/53/482) in October 1998.

2. The report describes in detail initiatives and actions to promote the rights and protection of children affected by conflict. These actions include: taking concrete steps in the midst of war for the protection of children, placing the rights and protection of children on peace agendas, making children a central concern in post-conflict programmes, integrating child rights and protection into United Nations peace operations, working to end recruitment and use of children in armed conflict, eliciting and monitoring commitments from parties to conflict to ensure the protection of children, protecting children from the impact of sanctions, and building local capacities for protection and advocacy.

3. The Special Representative has urged the international community to consciously redirect its energies from the juridical task of the elaboration of norms to the political project of ensuring their application and respect on the ground; he has therefore proposed the launching of an "era of application" for international norms. In discussions with Governments and through public advocacy, the Special Representative has continued to mobilize support for the signing and ratification of new international legal instruments that provide for the protection of children in situations of armed conflict.

4. The Special Representative has also reported on engagement with key national and international actors on the agenda of children and armed conflict. These include Governments, the Security Council, regional organizations, opinion leaders, communities of faith, and non-governmental organizations (NGOs). In the course of 1999, the Special Representative has undertaken field missions to several countries, including Rwanda, Burundi, the Sudan, Mozambique, Colombia, Sierra Leone and Guinea, and visited the Kosovo refugee children in the former Yugoslav Republic of Macedonia and Albania. The outcomes of these missions are detailed in the report to the General Assembly. The reports on the visits to Sierra Leone and Guinea and to Colombia are annexed to the present report.

5. The report to the General Assembly, and the recommendations provided therein, should form the primary basis for the consideration by the Commission on Human Rights of the work of the Special Representative in the period under review. The present additional report is intended to supplement the report to the General Assembly; it highlights issues that are particularly pertinent to the work of the Commission and provides additional recommendations.

II. THE CONVENTION ON THE RIGHTS OF THE CHILD AND WAR-AFFECTED CHILDREN

6. In September 2000, a decade will have passed since the entry into force of the Convention on the Rights of the Child. The Convention has been ratified by 191 States, making it the most widely ratified human rights instrument ever. The principles and provisions of the Convention set out unambiguously the obligations of States parties to respect and ensure the rights of children in peace and in war.

7. Perhaps no single category of children is so completely vulnerable as children caught in the midst of armed conflict. In as many as 50 countries around the world where war is still raging or where recovery has begun, the aspirations of the Convention are being flouted with impunity, blighting the future of millions of children.

8. As the Special Representative has outlined in his 1999 report to the General Assembly, the suffering of children in the context of armed conflict bears many faces. As well as the appalling numbers of children being killed and maimed, many more are suffering displacement and dislocation - there are 20 million children who have been displaced by wars within and outside their countries. Many are left orphans, thousands are raped, sexually abused or left profoundly traumatized. Some 300,000 young persons below the age of 18 are compelled to bear arms as child soldiers. The international community must be seen to be responding wherever grave situations of suffering may unfold.

9. The Special Representative has embarked on a wide variety of initiatives and actions designed to enlarge the space for the protection of children exposed to armed conflict. Several key features of the Convention on the Rights of the Child are relevant for his work.

10. The Convention on the Rights of the Child binds States parties to promote the physical and psychosocial recovery and social reintegration of children who have been victims of armed conflict. The Special Representative has advocated special programmes and rehabilitative measures for child soldiers, child victims of sexual abuse and exploitation, children who have been maimed or injured, and children who have been orphaned, displaced and traumatized in the context of armed conflict.

11. The Convention obliges States parties to apply its provisions to all children within their jurisdiction, without discrimination. Thus full protection must be extended, for example, to children escaping from war in their home countries and seeking refuge in another State party.

12. The Convention requires States parties to take effective measures to abolish social practices prejudicial to the health of children. This provision has been echoed in particular in the African Charter on the Rights and Welfare of the Child, which places a duty on States parties to eliminate "harmful social and cultural practices" prejudicial to the health or life of the child. This must include practices that put children in harm's way in the context of armed conflict.

III. CURBING CHILD SOLDIERING: MOVING FROM STANDARD-SETTING TO ACTION ON THE GROUND

13. The widespread use of children in armed conflicts is one of the most horrendous and cynical trends in wars today. Today, over 300,000 young persons under the age of 18 are taking part in hostilities in over 30 countries. Working to end the recruitment and use of children in armed conflict has constituted an urgent priority in the Special Representative's work as advocate for children affected by conflict. In his visits to countries affected by conflict, such as Burundi, Colombia, the Democratic Republic of the Congo, Sierra Leone, Sri Lanka and the Sudan, he has secured commitments from parties in conflict to cease the recruitment of children.

14. The Special Representative has strongly supported raising the age limit for recruitment and participation in hostilities from 15 to 18. In this campaign he has worked closely with the Chairperson of the Working Group on the draft optional protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, key United Nations agencies, Governments and NGOs, and in particular the Coalition to Stop the Use of Child Soldiers. In his address to the last session of the working group in January 2000, the Special Representative urged the delegates to bring the negotiations to a close by agreeing on the highest possible standard of protection for children at risk of being exploited as combatants. He emphasized that this would be in the best interests of children affected by armed conflict.

15. The consensus agreement reached on the draft optional protocol on 21 January 2000 represents an important victory for children and goes a long way towards meeting the goals that the Special Representative has been advocating. Five elements are especially significant in this regard:

(a) States are to take "all feasible measures" to ensure that members of their armed forces who have not attained the age of 18 years do not take a "direct part" in hostilities;

(b) States are to ensure that persons who have not attained the age of 18 years are not compulsorily recruited into their armed forces;

(c) Insurgent armed groups are prohibited, "under any circumstances", from recruiting persons under 18 years or using them in hostilities;

(d) The new standards apply both to international conflicts and civil wars;

(e) States parties are called upon to cooperate, through technical cooperation and financial assistance, in the prevention of child recruitment and the use of child soldiers, and in the rehabilitation and social reintegration of ex-child soldiers.

16. The one aspect in which the agreement falls short of the "straight 18" position that the Special Representative has advocated is in the area of voluntary enlistment into national armed forces. This is indeed a disappointment. Nevertheless, the raising of the minimum age to at least 16 and the inclusion of specific safeguards, including the provision of reliable proof of age and the informed consent of both volunteer and parents, represents an improvement on existing

standards. The Special Representative urges States, when ratifying the optional protocol, to consider depositing binding declarations pursuant to the terms of article 3, establishing age 18 as the minimum age for voluntary recruitment into their national armed forces.

17. With agreement on the optional protocol concluded, the Special Representative urges the international community to turn its energies and attention to several tasks on the ground, by: (i) advocating unequivocally for 18 as the minimum age for participation in conflict; (ii) monitoring and compelling adherence by all parties in conflict to their commitment to protect children; (iii) mobilizing international pressure on parties in conflict that abuse children as combatants; (iv) addressing the political, social and economic factors that facilitate the exploitation of children as soldiers; (v) responding to the rehabilitation needs of ex-child soldiers; and (vi) broadening our focus of concern to embrace all children affected by conflict.

18. The Special Representative wishes to express appreciation to all those who played such active roles in building the consensus that brought to a successful conclusion the six years of negotiations. He would like to pay particular tribute to delegations, the Chair of the working group and the Coalition to Stop the Use of Child Soldiers, for their critical roles in this process. He looks forward to continued collaboration with all key actors in pursuing the tasks outlined above.

IV. ELICITING AND MONITORING COMMITMENTS FROM PARTIES TO CONFLICT

19. In his visits to several countries, from Sri Lanka to Burundi, from the Sudan to Colombia to Sierra Leone, to discussions with the Congolese Rally for Democracy of the Democratic Republic of the Congo, in the course of 1998 and 1999 the Special Representative has got parties in conflict to commit themselves to some of the following measures: not to target civilian populations, to allow access to populations in distress within their zones of control, not to interfere with the distribution of relief supplies, to observe humanitarian ceasefires for purposes of vaccination or supply of relief, not to attack schools or hospitals, not to use landmines, and not to recruit or use children as soldiers.

20. The Special Representative calls on the Commission on Human Rights and the broader international human rights community to monitor these undertakings and ensure that parties honour their commitments on the protection of children.

21. Below is a summary of the commitments made to the Special Representative during his field missions in 1998 and 1999.

A. Visits to the Sudan

22. The Special Representative visited Sudan in June 1998 and March 1999. He held discussions with the Government and the Sudan People's Liberation Movement (SPLM).

Commitments received from the Government

23. On both visits, the Government reiterated its pledge, first made in discussions with the Minister for Foreign Affairs in New York in October 1997, to assist with ongoing efforts to obtain the release of children who have been abducted from northern Uganda by Ugandan rebel groups.

Update: **In the course of 1998, two groups of abducted children were released and repatriated to Uganda, with the cooperation of the Government of the Sudan.**

24. The Government of the Sudan reiterated its commitment, as a matter of policy and law, not to recruit and deploy children under the age of 18 years. The Special Representative urged the Government to ensure that this policy is being implemented effectively on the ground and that paramilitary groups aligned with government forces would similarly abide by this policy and the law. The Government promised that it would take the necessary action to correct any deviation from this policy that is brought to its attention.

25. On both visits, the Special Representative urged the Government to honour its commitment to allow a humanitarian assessment mission to visit SPLM-held areas in the Nuba mountains; he was reassured that this would happen.

Update: **A United Nations inter-agency humanitarian assessment team was able to undertake the mission in June 1999.**

26. During the second visit, the Government gave its commitment not to use anti-personnel landmines in the southern conflict zone and to cooperate with the United Nations and relevant NGOs in establishing mine awareness programmes and demining activities in the south.

27. During the Special Representative's visit in March 1999, the Government accepted his proposal that the protection and welfare of children should be placed on the agenda of the peace process sponsored by the Inter-Governmental Authority on Development (IGAD).

28. During the Special Representative's visit in March 1999, the Government gave its support to the proposal for a "neighbourhood initiative" that would bring together a group of East African countries linked by cross-border issues affecting children.

29. On the second visit, the Special Representative raised the serious issue of the abduction of children within the Sudan. Of particular concern was the situation in the railway corridor linking Babanusa in the north to Wau in the south. Reports indicated that militias, known as muraheleen, were raiding local villages, burning homes, stealing cattle and abducting children,

who were then transported to work in homes and in the fields in the north. The Special Representative recommended that there should be a United Nations-sponsored agreement, involving the Government and the SPLM, to address this issue.

Update: **Subsequently, a comprehensive agreement on the Babanusa-Wau rail corridor was concluded between the Government and the SPLM in Geneva in December 1999, under the auspices of the Office for the Coordination of Humanitarian Affairs (OCHA).**

30. In his discussions with the Chairman of the Southern States Coordinating Council on his visit in June 1998, the Special Representative emphasized the importance of ensuring the protection, rights and welfare of children in activities under the Council's jurisdiction. The Chairman, Dr. Riak Machar, welcomed the Special Representative's proposal to set up a contact group between the Coordinating Council and relevant United Nations agencies. This contact group will undertake programmes to build greater awareness within groups under the authority of the Council on humanitarian and human rights standards relating to the protection of children.

Commitments received from the SPLM in March 1999

31. The SPLM (simultaneously with the Government) has given its commitment not to use anti-personnel landmines in the southern conflict zone and to cooperate with the United Nations in establishing mine-awareness programmes and demining activities in the south.

32. The SPLM accepted the proposal by the Special Representative that the protection and welfare of children should be placed on the agenda of the peace process sponsored by the Inter-Governmental Authority on Development (IGAD).

33. The Special Representative expressed concern over reports about the diversion of humanitarian relief by local Sudan People's Liberation Army (SPLA) commanders. He welcomed assurances from the SPLM leadership that new political and military leaders had been appointed at the local levels to ensure that this would not happen.

34. The SPLM gave its support to the Special Representative's proposal for a "neighbourhood initiative" that would bring together a group of East African countries linked by cross-border issues affecting children.

35. The Special Representative urged the SPLM leadership to allow and encourage an active role for civil society in areas under their control. The SPLM promised to pursue such a policy of opening to and encouragement of civil society activities.

B. Visits to Sierra Leone

36. The Special Representative visited Sierra Leone in June 1998 and September 1999 (see annex I). He received commitments from the Government, the Civil Defence Forces (Kamajors), and the Revolutionary United Front (RUF).

Commitments received from the Government

37. During his second visit, the Special Representative proposed the establishment of a national commission for children to ensure that the rights and welfare of children will be a central concern in the aftermath of the war in Sierra Leone and would be reflected in national priority-setting, policy-making and resource allocation. This proposal has been welcomed by the Government as well as civil society leaders and organizations.

38. On both visits, the Government and the Chief of the Defence Staff accepted the Special Representative's proposal to receive assistance from United Nations agencies and relevant NGOs for training on humanitarian and human rights standards. This effort will be led by the United Nations Mission in Sierra Leone (UNAMSIL) and the United Nations Children's Fund (UNICEF).

Commitments received from the Civil Defence Forces (CDF)

39. During the visit in June 1998, the Civil Defence Forces (CDF) committed themselves to not recruiting children under the age of 18.

Update: **This commitment has been reiterated in the Lomé Peace Accord and in the Human Rights Manifesto.**

40. On the Special Representative's visit in June 1998, the Economic Community of West African States Monitoring Group (ECOMOG) and the CDF agreed to provide special protection to child combatants of the Armed Forces Revolutionary Council/Revolutionary United Front (AFRC/RUF) who come into their custody through surrender, capture, or escape.

Commitments received from the RUF in September 1999

41. The Special Representative demanded that the RUF leadership arrange and facilitate necessary security arrangements for a humanitarian team to visit the zones under their control, as a first step to the early release of children. The RUF agreed to this; the missions were to be led by UNAMSIL and UNICEF.

42. The RUF committed itself to not recruiting children under the age of 18.

43. In addition to the above commitments made by the parties, the following initiatives were put in place during the Special Representative's visit in June 1998:

(a) A Joint Task Force for the demobilization of child combatants was constituted, comprised of UNOMSIL, UNICEF, ECOMOG, CDF and RUF representatives. With the ending of the war, there is an urgent need for this group to take charge of an effective process of disarming, demobilizing and reintegrating ex-child combatants;

(b) An all-party Parliamentary Caucus for Children was constituted during June 1998, following a discussion between the Special Representative and a group of parliamentarians. This Caucus has become an effective advocacy group on behalf of children in and outside Parliament.

C. Visit to Rwanda

44. The Special Representative visited Rwanda in February 1999, where he received the following commitments from the Government.

45. As a result of the genocide in 1994, there are an estimated 45,000 households headed by children, 90 per cent of them girls. However, under Rwandese law, girls cannot inherit land. The Special Representative urged the Government to introduce legislation that would allow girls to inherit farms and other properties. The Government promised to act on this issue.

Update: **Legislation to this effect has now been passed by Parliament, and awaits approval by the Constitutional Court.**

46. The Special Representative encouraged the Government to reinstate the practice of gacaca, a traditional method of justice rooted in the local community, in an attempt to speed up the judicial process.

Update: **By the end of 1999, the Minister of Justice had drafted legislation that would channel the majority of the pending cases against persons involved in the genocide, specifically those involving persons who were not leaders or decision-makers during the genocide, through the gacaca process. It is hoped that Parliament will consider this legislation soon, and that by mid-2000 it will come into effect.**

47. In addition to receiving these commitments, the Special Representative urged the Government to raise the age limit for recruitment and participation to 18.

D. Meeting with the leadership of the Congolese Rally for Democracy (RCD) of the Democratic Republic of the Congo

48. During his visit to Rwanda, the Special Representative met with a delegation of the RCD, led by Professor Wamba dia Wamba, in Gisenyi, Rwanda, on 22 February 1999. He received the following commitments from the RCD leadership.

49. The RCD leadership accepted the Special Representative's proposal for a temporary cessation of hostilities for the humanitarian purposes of polio vaccination and the emergency feeding of malnourished children.

Update: **Subsequently, despite the split within the RCD, the movement kept its commitment. As a result, UNICEF and the World Health Organization (WHO) were able to conduct a successful polio immunization campaign in 1999.**

50. The Special Representative expressed grave concern over the growing trend towards the targeting of civilian populations in situations of conflict. In this connection, he raised with the RCD the massacres of civilians at Makobolo, near Uvira, in January 1999 and in August 1998 in Kasika in the southern Kivu region. The Special Representative urged the RCD to accept the

participation of international experts in conducting the investigations. The RCD said that the tragic events of Makobolo and Kasika were under investigation, they accepted the participation of independent international experts to assist in this process.

51. The Special Representative raised with the RCD the issue of child soldiers within its ranks. The RCD accepted in principle that they would not recruit young persons below the age of 18, it was agreed that precise mechanisms and practical arrangements would be worked out for this purpose.

52. The RCD acknowledged that they had inherited kadogos (Swahili for "little ones") from the 1996-1997 war in the Democratic Republic of the Congo, and said that they were ready to cooperate with United Nations agencies and relevant NGOs in ensuring demobilization and reintegration of child soldiers.

53. The Special Representative emphasized the importance for all parties to conflict, including non-State actors, to respect the principles and provisions of the Convention on the Rights of the Child. The RCD said that they would observe the Convention.

54. The Special Representative expressed deep concern over the disturbing trend of using radio, television and public rallies to incite ethnic and racial hatred. He urged the RCD to refrain from employing such practices. The RCD promised that they would not resort to such practices.

E. Visit to Burundi

55. The Special Representative visited Burundi in February 1999. He received the following commitments from the Government.

56. The Government undertook to introduce legislation to raise the minimum age for recruitment from 16 to 18.

57. The Special Representative expressed deep concern about reported incidents of military attacks on civilians. The Minister for Defence committed the Government to prosecuting any reported misconduct within the Burundi armed forces to the full extent of the law.

58. The Government agreed to the Special Representative's proposal to place the protection and welfare of children on the Arusha peace process. Mwalimu Julius Nyerere, the then facilitator of the Burundi peace negotiations, had earlier given his blessing to the proposal.

59. At the request of women's groups in Burundi, the Special Representative urged the Government to accept representatives of Burundi women as full participants in the Arusha peace negotiations; President Buyoya accepted the proposal and Mwalimu Nyerere also supported it.

F. Visit to Colombia

60. The Special Representative visited Colombia in June 1999 (see annex II). During the visit, he received commitments from the Government and the Revolutionary Armed Forces of Colombia (FARC).

Commitments received from the Government

61. The Government agreed to place the needs and protection of children as a high priority on the peace agenda and in its outcome.

62. The Special Representative raised the issue of the military enlistment of the children under age 18. The Government responded with the announcement of a new policy, to take effect immediately, not to enlist young persons below the age of 18 into the armed forces, and to initiate the process of adapting the necessary legislation.

Update: **On 20 December 1999, the final contingent of 950 soldiers under the age of 18 were discharged from the Colombian army.**

63. The Special Representative voiced his concern over reports of use of landmines. General Tapias Stahelin, Commander-in-Chief of the armed forces, explained that Government use of landmines was restricted to the defence of vital installations and that it was difficult for the Government to control the opposition groups' use of mines. President Pastrana informed the Special Representative that the Government was actively exploring ratification of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and Their Destruction. In the meantime, the Special Representative urged all parties to refrain from the use of landmines.

64. The Special Representative appealed to the Government to prioritize children's concerns in policies and programmes, to dedicate the substantial resources necessary and to strengthen relevant institutions at local and regional levels. President Pastrana took the opportunity to instruct the Director of the Colombian Institute for Family Welfare (ICBF), who was present at the meeting, to review the allocation of the ICBF resources in view of the concerns expressed by the Special Representative.

65. The Special Representative implored the Government to address the urgent needs of displaced communities - especially in terms of health, education, sanitary conditions, shelter, water, registration and economic opportunities - and to ensure their physical protection and secure the conditions for their return or resettlement. President Pastrana indicated that his Government was working closely with the Social Solidarity Network, a government welfare agency, to address the urgent needs of the displaced and that they would continue to seek the support and the advice of the United Nations in that regard.

66. In addition to the above commitments, the Special Representative urged the Government to address the issue of impunity and to take the necessary steps to prevent and investigate violations of humanitarian and human rights norms, in particular violations committed against civilian populations and human rights defenders, and to ensure that those responsible for such violations are brought to justice.

Commitments received from the Revolutionary Armed Forces of Colombia (FARC)

67. The FARC agreed to place the needs and protection of children as a high priority on the peace agenda and in its outcome.

68. The Special Representative urged the FARC to cease the recruitment and use of children. The FARC accepted and announced that henceforth they would no longer accept or recruit young persons under age 15; the FARC subsequently issued a public communiqué confirming this undertaking.

69. The Special Representative urged the FARC to demobilize all underage children within their forces. The FARC expressed its openness to explore with the United Nations and relevant NGOs a process and framework for the eventual demobilization and rehabilitation of young persons below age 15 currently within their ranks.

70. In the discussion with the FARC and the High Commissioner for Peace, it was agreed that a tripartite task force, comprising representatives of the Government, United Nations and the FARC would be established to address urgent humanitarian needs in the demilitarized zone, focusing especially on the needs of women and children. It was agreed that a pilot project for this purpose would be launched in the community of Rio Luzada Guayabero in the southern part of the demilitarized zone.

71. At the close of the Special Representative's visit, a broad coalition comprised of members of the United Nations Country Team, NGOs, representatives of civil society and other key actors was launched to coordinate and raise the profile of efforts to address the rights and needs of children affected by the war in Colombia.

G. Visit to Sri Lanka

72. The Special Representative visited Sri Lanka in May 1998. He held discussions with the Government and met with the leadership of the Liberation Tigers of Tamil Eelam (LTTE).

Commitments received from the Government

73. The Government agreed to examine procedures to expedite the approval and distribution of necessary humanitarian supplies.

74. The Government agreed to review the list of items restricted from the zone of conflict.

75. The Government agreed to expedite procedures for the issue of permits for movement in the affected areas.

76. The Government reiterated its commitment to the policy of not recruiting children under the age of 18 years.

Commitments received from the LTTE

77. The LTTE leadership made a commitment not to interfere with the flow of humanitarian supplies destined for the affected populations.

78. The LTTE leadership made the commitment that they would not impede the movement of displaced populations who want to return to areas now under government control.

79. The LTTE pledged not to impede the return to their homes of Muslim populations displaced by previous outbreaks of hostilities.

80. The LTTE leadership undertook not to use children below 18 years of age in combat and not to recruit children less than 17 years old.

81. The Special Representative expressed the gravest concern about the targeting of civilian populations and sites throughout the country. The LTTE leadership acknowledged this to be an important and legitimate concern and undertook to review its strategies and tactics in this regard.

82. The Special Representative urged the LTTE leadership to make a public commitment to respect the principles and provisions of the Convention on the Rights of the Child; the LTTE agreed to review this issue within its leadership. In the meantime, the LTTE expressed its readiness to have its cadres receive information and instruction on the Convention.

83. The LTTE accepted that a framework to monitor these commitments should be put in place.

V. ADDRESSING IMPUNITY FOR VIOLATIONS OF CHILD RIGHTS IN THE CONTEXT OF ARMED CONFLICT

84. The international community, and the Commission on Human Rights in particular, has grown increasingly aware that it is not sufficient to be informed of the violations of human rights. Gross violations necessitate systematic efforts to establish responsibility and response on behalf of the victims, and international public opinion strongly supports such efforts.

85. Recent experience demonstrates that in the process of establishing peace, truth and justice have sometimes been short-changed. Amnesties for alleged war criminals are often compelled by the political-military situation on the ground. War-fatigued and desperate citizens sometimes express their preference for peace at almost any cost.

86. Peace and justice intersect in many ways in peace processes. Offers of amnesty may bring recalcitrant parties to the negotiating table, and broad concessions of amnesty are sometimes awarded to fighting factions to help ensure their peaceful transformation into political players. In other situations such as in Rwanda and Cambodia, the perpetrators might be brought to trial, but the devastation of the domestic judicial system and the dearth of persons trained in the administration of justice can exclude the possibility of conducting fair criminal trials. Sometimes, as in the case of South Africa, truth and repentance may take precedence over the requirements of justice.

87. Against this backdrop, Security Council resolution 1261 (1999) is particularly important, as it calls upon "all parties concerned to comply strictly with their obligations under international law." The resolution "stresses the responsibility of all States to bring an end to impunity and their obligation to prosecute those responsible for grave breaches of the Geneva Conventions of 12 August 1949."

88. In light of the above, the Special Representative recommends that all aspects of peace processes involving amnesty, truth, or justice should highlight the abuses perpetrated on children, as well as the circumstances that enabled those abuses to occur. And when amnesty legislation is contemplated in transitions from war to peace, peacemakers should ensure that the perpetrators of child rights violations are not exempted from legal responsibility. In this connection, the Special Representative urges States to ratify the Rome Statute of the International Criminal Court. The establishment of the Court is very significant for the protection of children: it is a powerful tool that considerably reinforces advocacy for children, it establishes international criminal jurisdiction over individuals responsible for the most serious crimes against children, and it should serve as a deterrent to such crimes.

89. It is also significant that recent developments in international law now enable, and sometimes require, states to exercise jurisdiction over persons suspected of grave crimes under international law, regardless of where those crimes took place and irrespective of the nationality of the accused or the victims. Crimes for which such "universal jurisdiction" can be invoked include grave breaches of the Geneva Conventions and violations of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. The Special Representative urges States, particularly those reviewing their national legislation with a view to ratifying and implementing the Rome Statute, not only to define the crimes within the Court's jurisdiction as national crimes, but also to ensure that national courts can exercise "universal jurisdiction" for egregious violations of child rights in the context of armed conflict. This step would complement the Court's jurisdiction and make it harder for the worst war criminals to find refuge in the aftermath of their deeds.

VI. THE COMMISSION ON HUMAN RIGHTS

90. The role of the Commission on Human Rights as the primary United Nations forum for policy-making on human rights issues and for promoting, monitoring and ensuring compliance with human rights is widely acknowledged and universally accepted. Over the years, the Commission has evolved from a body predominantly focused on standard-setting to one more proactively involved in identifying grave, frequent and systematic rights violations. It has set up elaborate machinery and procedures to monitor compliance by States with international human rights law, and to investigate alleged violations of human rights. The Special Representative has maintained contacts with relevant special rapporteurs and the chairpersons of the various working groups.

91. The rights of the child feature as an important item on the agenda of the Commission and many areas of its thematic and country-specific work also relate to the situation of children affected by armed conflict. Yet, at its fifty-fifth session, when a special dialogue was held on the issue of the marginalization of children, the lack of attention being paid to children in the various reports presented to the Commission was particularly noted.

92. The Special Representative urges the Commission to make the rights of children affected by armed conflict a central concern throughout its activities and outcomes, including in its monitoring actions, requests for reports from rapporteurs, experts, representatives and working groups, and in its resolutions. In order to ensure that the Commission is in possession of reliable and adequate information on violations of child rights, all relevant reports to the Commission,

whether they originate from the Commission and any of its mechanisms or from United Nations agencies and departments, should include sections on the fate of children in situations where they have been seriously affected by armed conflict.

VII. MECHANISMS UNDER THE COMMISSION ON HUMAN RIGHTS

93. A number of extraconventional mechanisms have been established by the Commission on Human Rights and the Economic and Social Council. The mandates of these mechanisms have been entrusted to working groups, special rapporteurs, representatives or experts.

A. Extraconventional mechanisms (special procedures)

1. Country-specific mandates

94. Through its special procedures, the Commission on Human Rights has decided to pay particular attention to human rights situations in Afghanistan, Burundi, Cambodia, Cyprus, the Democratic Republic of the Congo, Equatorial Guinea, Haiti, the Islamic Republic of Iran, Iraq, Myanmar, Rwanda, Somalia and the Sudan, as well as in the occupied Arab territories, East Timor and the countries of the former Yugoslavia. In the vast majority of the situations currently under review by special rapporteurs, experts or representatives, grave and systematic violations of the rights of children have been committed in the context of conflict. In others, legal issues related to children are particularly relevant for building lasting peace. The Special Representative has highlighted some of these issues in the accounts of his country visits contained in the report to the General Assembly and the annexes to the present report. In this context, examples of countries of common concern include Afghanistan, Burundi, the Democratic Republic of the Congo, Yugoslavia, Rwanda and the Sudan.

2. Thematic mandates

95. Many of the thematic mandates of the Commission and of the Sub-Commission on the Promotion and Protection of Human Rights are of relevance to the work of the Special Representative, in particular, various aspects of the following mandates: HIV/AIDS, arbitrary detention, sale of children, child prostitution and child pornography, development, disappearances, education, summary and arbitrary executions, internally displaced persons, mass exoduses, mercenaries, migrants, poverty, racial discrimination, religious intolerance, reprisals, restitution, and torture. During his visits to affected countries, the Special Representative has drawn the attention of the international community to several of these issues in the context of conflict.

3. Working groups of the Commission

96. A number of working groups have been set up to address important issues of concerns to the Commission or to elaborate additional human rights instruments. Of particular relevance for the work of the Special Representative are: the Working Group on Arbitrary Detention and the Working Group on Enforced or Involuntary Disappearances. The Special Representative has

worked particularly closely with the Chairperson of the working group on the elaboration of a draft optional protocol to the Convention of the Rights of the Child on the involvement of children in armed conflicts throughout its work.

B. Sub-Commission on the Promotion and Protection of Human Rights

97. The Sub-Commission could make an important contribution to deepening understanding of the plight of children in situations of armed conflict by systematically addressing child-relevant concerns in all its work, and could also consider undertaking specific studies relating to the rights of children in situations of armed conflict.

VIII. THE OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS

98. The Office of the United Nations High Commissioner for Human Rights (OHCHR) is one of the key partners of the Special Representative and an active member of the informal advisory group, created to advise the Special Representative informally on initiatives and strategies for enhancing the protection of children affected by armed conflict. The Special Representative and the High Commissioner have discussed various collaborative initiatives. Examples of collaboration include the efforts to place Child Protection Advisers (CPAs) in United Nations peace operations and the mutually reinforcing visits to Sierra Leone in 1999, both of which put the international spotlight on the massive suffering of children. During the country missions of the Special Representative, the support of the OHCHR field presence, in particular in Burundi, Colombia and Sierra Leone, was invaluable. In the follow-up to missions, the field offices have reported on the situation of children and the observance by the parties of commitments obtained by the Special Representative.

99. OHCHR has pursued important initiatives on behalf of children. To further develop this work, and following up on the recommendations of the 1996 study on the impact of armed conflict on children (A/51/306 and Add. 1) (the "Machel study") and the subsequent reports of the Special Representative, the Special Representative recommends that OHCHR look into elaborating strategies to ensure the systematic integration of the rights of the child within all activities of the Office. This could include the following measures.

100. OHCHR could take steps to ensure that greater expertise on particular areas of child rights, including in post-conflict situations and periods of "imperfect peace", is developed to enable it to provide technical cooperation and develop further its role as a resource in this area.

101. Among specific activities that might be considered is the development of guidelines and monitoring manuals for the field offices and for the special procedures.

102. The Special Representative recommends that, as a general rule, monitoring and reporting on children's rights be included in the mandates of the field offices in order to ensure consistent attention to the issue, and that the offices are provided with experts where necessary.

IX. THE COMMITTEE ON THE RIGHTS OF THE CHILD

103. The Committee on the Rights of the Child (CRC) has the primary role in the monitoring of States parties' compliance with the Convention. The Special Representative has maintained regular contacts with the Committee.

104. The Special Representative considers the process of reporting to the Committee a very important opportunity to assess progress made towards the implementation of the Convention and to review national programme priorities and resource allocations. The Convention also empowers the Committee to invite input from relevant United Nations agencies, NGOs and others on the state of child rights in a particular country. Over the years the practice of preparing these alternative or additional reports to the Committee has become a serious undertaking amongst NGOs in a number of countries. This exercise has proved an important catalyzing and advocacy tool in a number of countries affected by armed conflict, including El Salvador, Guatemala and Sierra Leone.

105. The Special Representative welcomes the Plan of Action designed by OHCHR to strengthen substantive support for the Committee's work and to provide resources necessary for the implementation of its proposals. The Special Representative also endorses the process of additional reporting to the Committee by NGOs and urges OHCHR and UNICEF to provide support to this process as a means of strengthening civil society's involvement in the promotion and protection of children's rights.

106. In order to strengthen the critical work of the Committee, the Special Representative urges States parties to support the proposed amendment to the Convention on the Rights of the Child that would expand the size of the Committee to 18 members, as a means of improving the efficient and timely consideration of States parties' reports. He recommends that OHCHR request its field operations to provide the Committee with pertinent information and to assist in the follow-up, including through its regional desks, to the Committee's conclusions and recommendations. He also recommends that the Committee develop procedures for better sharing of pertinent information among the relevant treaty bodies and mechanisms of the Commission.

X. SECURITY COUNCIL RESOLUTION 1261 (1999)

107. Since his appointment, the Special Representative has made it a priority to work to ensure that the protection of children affected by armed conflict becomes a major concern on the agenda of the Security Council. Following the first open debate on the issue and the statement by the President of the Security Council in June 1998 (S/PRST/1998/18), the Special Representative has continued to encourage a deeper engagement by the Council in the matter. On 25 August 1999, the Security Council held its second open debate on the item "Children and armed conflict", at the conclusion of which it adopted landmark resolution 1261 (1999).

108. The resolution incorporates a number of concerns that have been at the core of the Special Representative's advocacy work. In it the Security Council condemns the targeting of children, recognizes the protection and welfare of children as an issue to be addressed during peace processes, urges parties to conflict to abide by commitments they make to ensure the

protection of children, calls for an end to the recruitment and use of children in armed conflict, and calls for the demobilization and rehabilitation of child soldiers. The Council has undertaken, when taking action to promote peace and security, to give special attention to the protection, rights and welfare of children, to give consideration to the impact of sanctions on children, and to ensure that personnel involved in peace operations receive appropriate training.

109. Resolution 1261 is a major milestone for the cause of children affected by armed conflict. For the first time ever, the Security Council has devoted a resolution to a thematic concern, unrelated to a specific situation or an immediate incident. In so doing, it has clearly demonstrated its commitment to the protection of children affected by armed conflict. Secondly, the resolution sets out a number of important measures for protecting children which, when applied in specific situations, would have a considerable impact. Thirdly, the adoption of the resolution has finally given full "legitimacy" to the protection of children as an issue that properly belongs on the agenda of the Council.

110. The Security Council has requested the Secretary-General to provide a report by July 2000 on the implementation of the resolution, thus signalling that the issue will remain an ongoing preoccupation on its agenda. The Office of the Special Representative will serve as a focal point for the preparation of this report.

111. Resolution 1261 provides a most important tool for advocacy on behalf of children affected by conflict. The Special Representative calls on all who are concerned for the protection of children to use this new advocacy tool to the fullest and to encourage the Council itself to apply measures contained in the resolution in its future consideration of specific crisis situations and in the mandating of peace operations.

112. In particular, the Special Representative calls on the Commission on Human Rights and the wider human rights community to make systematic use of resolution 1261 in the protection of children's rights in situations of armed conflict. He urges the Commission's rapporteurs and working groups to incorporate the provisions of the resolution into their work in specific countries and to provide information about the implementation of the resolution in their reports to the Commission.

XI. INTEGRATING CHILD PROTECTION INTO UNITED NATIONS PEACE OPERATIONS

113. The Special Representative has made it a priority to advocate the integration of the protection and welfare of children into United Nations-mandated peace operations. To achieve this objective, he has proposed the systematic incorporation of three specific elements.

A. Incorporation into the mandates of United Nations peace operations

114. The Special Representative has proposed that the protection and needs of children must be firmly entrenched in the mandates of peacekeeping operations; this proposal has now been endorsed by the Security Council. So far, two United Nations peacekeeping operations have adopted mandates to help ensure the protection of children throughout the process of consolidating peace. In August, the Security Council adopted resolution 1260 (1999), which

explicitly incorporated the protection of children within the mandate of the United Nations peacekeeping operation in Sierra Leone (UNAMSIL). Similarly, resolution 1279 (1999) adopted by the Security Council in November 1999 incorporated the protection of child rights into the mandate of the United Nations Mission in the Democratic Republic of the Congo (MONUC), and instructed MONUC to facilitate delivery of humanitarian assistance for children.

B. Instituting Child Protection Advisers

115. In order to ensure the implementation of the child protection dimension of peace operation mandates and to advise the head of a peace mission in a given country, the Special Representative has proposed the appointment of senior officers explicitly responsible for ensuring coordination for the protection and welfare of children; this proposal has now been accepted by the Security Council and the Department of Peacekeeping Operations. The Special Representative, UNICEF, OHCHR and the Department are finalizing the terms of reference for Child Protection Advisers and will examine systematically the placement of CPAs in relevant peace operations. The Special Representative has proposed that CPAs typically should be drawn from the ranks of UNICEF, the Office of the United Nations High Commissioner for Refugees (UNHCR), OHCHR or relevant NGOs (such as Save the Children and national committees for UNICEF).

116. In this context, resolution 1260 authorized a senior CPA for UNAMSIL as well as two child rights protection officers who will work within UNAMSIL's human rights component. Similarly, resolution 1279 (1999) authorized child protection staff within the structure of MONUC.

117. The Special Representative is exploring the placement of CPAs in the United Nations peace operations in East Timor and Kosovo.

C. Providing training for peace operation personnel

118. The Special Representative has been advocating the provision of training on the rights and protection of children to all peace operation personnel. The Security Council endorsed this objective in resolution 1261 (1999), in which the Secretary-General was requested to ensure that personnel involved in peacemaking, peacekeeping and peace-building activities have appropriate training on the protection, rights and welfare of children. Furthermore, in his report to the Security Council on the protection of civilians in armed conflict (S/1999/957), the Secretary-General recommended that all peacekeeping operations should include a public "ombudsman" to deal with complaints from the public about the behaviour of United Nations peacekeepers. The Special Representative is exploring with the Department of Peacekeeping Operations, UNICEF, OHCHR and other partners how best to improve the capacity of the United Nations and other actors to implement provisions of resolution 1261 (1999) concerning training.

ANNEX I

Mission report on the visits to Sierra Leone and Guinea

I. OBJECTIVES AND PROGRAMME

1. The Special Representative visited Sierra Leone for four days from 30 August to 3 September 1999, and Guinea from 3 to 4 September 1999. The visit to the two countries had four main objectives:

(a) To assess firsthand the conditions of children in Sierra Leone following the ending of the war and the signing of the Lomé Peace Agreement;

(b) To review progress made in carrying out commitments made to him during his previous visit to Sierra Leone in May 1998;

(c) To assess the situation of Sierra Leonean refugee children in Guinea;

(d) To identify key measures and initiatives needed to ensure the protection, rights and welfare of children in the aftermath of the war in Sierra Leone.

2. In Sierra Leone, the Special Representative met with the President, Alhaji Dr. Ahmed Tejan Kabbah, the Minister for Foreign Affairs, Mr. Sama Banya, the Minister of Social Welfare, Gender and Children's Affairs, Mrs Shirley Gbujama, the Deputy Defence Minister and Coordinator of Civil Defence Forces (CDF), Chief Hinga Norman, the Chief of Defence Staff, Brigadier General Maxwell Khobe, the ECOMOG Force Commander, Major General Gabriel Kpamber, the Revolutionary United Front (RUF) advance team led by Mr. Solomon Rogers, the National Commission for Disarmament, Demobilization and Reintegration (DDR), the National Commission for Resettlement, Rehabilitation and Reconstruction, the Child Protection Network, and the Parliamentary Action for Children. The Special Representative also held extensive discussions with members of the diplomatic community, the United Nations Country Team, representatives of the International Committee of the Red Cross (ICRC), international and local NGOs, and civil society groups. The Special Representative also had several occasions to meet separately with groups of children affected by war, both in Freetown and during his field visits.

3. From Sierra Leone, the Special Representative proceeded to Guinea to assess the conditions of Sierra Leonean refugee children there. In Conakry, the Special Representative met with the Prime Minister, Mr. Lamine Sidimé, the Minister of Social Welfare for Protection of Women and Children, Mme. Mariama Aribot, the Secretary-General of the Ministry of Territorial Administration and Decentralization, Mr. Cheick Fantamay Condé, and the United Nations Country Team, before proceeding to visit the refugees.

4. Throughout his visit in Sierra Leone, the Special Representative was accompanied by the Special Representative of the Secretary-General for Sierra Leone, Mr. Francis Okelo, and the UNICEF Representative for Sierra Leone, Ms. Joanna van Gerpen. While in Guinea, the Special Representative was accompanied by the UNHCR Deputy Representative for Guinea, Ms. Christine Mougne.

5. In Sierra Leone, the Special Representative visited war-affected populations in the vicinity of Freetown and the region of Bo. In particular, he was exposed to the impact of the January 1999 rebel incursion on the society. The places the Special Representative visited in Freetown were: an IDP camp at the National Workshop; a foster care centre for street children; the National Stadium where displaced communities are provided temporary shelter; the Murray Town Camp for amputees; and the Family Home Care Centre for former child combatants in Lakka. In Bo, the Special Representative visited a vocational training centre for former child soldiers, and a major IDP camp. The Special Representative also met with the Kamajor leadership for the region, and with a group of Kamajor child combatants.

6. In the IDP camps, the Special Representative saw the deplorable conditions in which those who were forced to flee their homes lived. Many slept on the same bare floors where they cooked and washed. The makeshift schools available in some camps were glaringly under-resourced in terms of space, educational materials and staff. Most of all, there were complaints across the board about a dire shortage of food and medicine, an issue that tends to create other tensions as people scramble for limited essential commodities. This situation was compounded in some camps (e.g. the Murray Town Camp for amputees) by the fact that family members of many residents had been "trickling in" from the hinterland - thus putting greater pressure on the already limited supplies.

7. The Special Representative visited the Family Home Care Centre for former child combatants in Lakka on the outskirts of Freetown. In this centre, he encountered a cross-section of children, including: a 15-year-old mother who had recently been released from behind rebel lines; orphaned children between the ages of 3 and 4; and teenage ex-child combatants between the ages of 12 and 16. The condition of these children, many of whom were seriously traumatized, gave him some indication of the challenge of post-conflict rehabilitation. The real extent of this challenge will become apparent when the actual number of child victims behind rebel lines is known.

8. One of the most horrifying experiences for the Special Representative was his visit to the Murray Town Camp for amputees in Freetown. The Camp currently accommodates and provides rehabilitation training to some 260 people who have suffered amputations and some 100 wounded by war, many of whom are children. It is assumed that those who survived and reached Freetown and care facilities constitute only a small segment of the entire mutilated population. Many more are reported to have died without medical attention. There is not yet a reliable figure of the total population of amputees in Sierra Leone, as many areas still remain inaccessible. The youngest child the Special Representative met, Abu, who is now 10 months old, had his leg cut off by the rebels when he was barely 2 months old. The amputees expressed resentment about the fact that arrangements were being made for some of the rebel leaders to live in comparative comforts, while they were living in the conditions of extreme deprivation.

9. Sierra Leone has a very strong and active civil society. In a large gathering in Freetown, the Special Representative had a lively and very instructive interaction with a broad cross-section of civil society leaders drawn from various organizations, including: Sierra Leone Association of Non-Governmental Organizations (SLANGO); Campaign for Good Governance; National Commission for Democracy and Human Rights; Inter-Religious Council; Sierra Leone Red

Cross; Partners in Adult Education; YWCA; Grassroots Gender Empowerment in Sierra Leone; Christian Development Association; Association for Rural Development; Sierra Leone Youth Empowerment Organization; Concerned Youth for Peace in Sierra Leone; Amputees and War-Wounded Association; Campaign Against Violent Events; and Displaced Committee.

10. In Guinea, the Special Representative visited the Massakoundou refugee camp in Kissidougou prefecture. The camp currently accommodates some 23,000 Sierra Leonean refugees, two thirds of whom are children under 18. Although the situation of the refugees was better than that of IDPs in Sierra Leone, the conditions in the camp are basic, with a serious shortage of essential resources. The refugees were well organized and the camp had not experienced any serious security problems. Children repeatedly expressed their strong prayer for a final end to the war, return to Sierra Leone and opportunities to resume their education. Parents emphasized the lack of adequate food and medical care in the camp.

II. IMPACT OF THE WAR ON CHILDREN

11. The children of Sierra Leone have suffered beyond belief in this war. Many children have been deliberately maimed, with their limbs brutally cut off; in the month of January 1999 alone, over 4,000 children were abducted during the incursion of the RUF and the Armed Forces Revolutionary Council (AFRC) into Freetown; it is estimated that 60 per cent of abducted children are girls, the vast majority of whom are reported to have been sexually abused; thousands of children have been serving as child soldiers in the three main fighting groups - RUF, AFRC and the CDF; over 3 million Sierra Leoneans, more than 60 per cent of them children - two thirds of the total population - have been displaced by war within and outside their country; some 10,000 children are estimated to have been separated from their parents as a result of the war; there are more than 3,000 "street children" in Freetown alone; and many children are suffering from serious psychosocial trauma.

III. RECOMMENDATIONS

12. In view of what the Special Representative witnessed on the ground in Sierra Leone and the discussions he held with national leaders, United Nations agencies and NGOs, and drawing on previous commitments made to him during his previous visit in May 1998, the Special Representative has proposed a special "Agenda for Action for the Children of Sierra Leone". The 15-point agenda puts forward several measures and initiatives aimed at ensuring the rehabilitation and welfare of the children in Sierra Leone in the aftermath of the war. The principal elements are as follows:

National Commission for Children of Sierra Leone. There is an urgent need to establish a national commission for children to ensure that the protection and welfare of children will be a central concern in the aftermath of the war, and that this will be reflected in national priority-setting, policy-making and resource allocation. This proposal has been welcomed by the Government as well as civil society organizations and leaders.

Child protection and the UNOMSIL mandate. As a general policy, the Special Representative has been advocating that child protection and welfare should constitute an

explicit priority in the mandate of every United Nations peace operation, and that a senior Child Protection Advocate should always be attached to each operation to promote the implementation of this component of the mandate. The Special Representative has proposed that the CPAs typically should be drawn from the ranks of UNICEF, UNHCR, OHCHR or relevant NGOs. These two new elements have now been incorporated into the mandate and operation of the expanded UNOMSIL.

Rehabilitation of amputees. A whole new community of persons has suddenly emerged in Sierra Leone - persons without limbs - as a result of a diabolical practice of brutally cutting off the hands and legs of victims. This is a completely new phenomenon, one to which the community has no ready response. A special programme is needed for this category of victim, to provide trauma counselling, physical therapy, and technical and material support.

Sexually abused children. The extensive and systematic sexual abuse visited upon young girls is one of the most painful and traumatic legacies of the war in Sierra Leone. The victims' trauma is compounded by social stigma and reticence to address the issue. A special programme is needed to address the special needs of this group of victims, including their health needs, a campaign of sensitization of local communities, and trauma counselling.

Access to and release of abducted children. A large number of children were abducted during the war, most of whom still remain behind rebel lines; gaining access to them and obtaining their release is a most pressing concern. Moreover, the health and food situation behind rebel lines is reportedly very bad and rapidly deteriorating. Furthermore, based on the experiences of those released, there is evidence to suggest that many children behind the lines were conditioned with hard drugs following their capture. The Special Representative therefore insisted that the RUF leadership agree to and facilitate the necessary security arrangements for a humanitarian team to visit the zones under their control, as a first step to regular access and the early release of the children. The RUF leadership has agreed to this and discussions are under way to send a team led by UNOMSIL and UNICEF.

Demobilization of child combatants. The DDR of child combatants needs special attention . When the Special Representative visited Sierra Leone in May 1998, a Joint Task Force for the demobilization of child combatants was constituted for this purpose, comprising representatives of UNOMSIL, UNICEF, ECOMOG and the CDF (and now the RUF). With the ending of the war, there is an urgent need for this group to take charge of an effective process of disarming, demobilizing and reintegrating ex-child combatants. The work of the Joint Task Force feeds directly into the overall programme and activities of the National Commission for DDR.

Recruitment and use of children. During the Special Representative's visit to Sierra Leone in May 1998, the Government and CDF made a commitment not to recruit children under the age of 18. They have reiterated this commitment ever since; indeed, this has now been incorporated in the Lomé Agreement and the Human Rights

Manifesto. The same commitment has now been made by the RUF leadership. The Special Representative calls on all the parties to abide by their commitment.

Displaced children. More than 3 million persons have been displaced by the war in Sierra Leone - over 60 per cent of them children. The 2.5 million people displaced within the country live in difficult conditions, with overcrowded and improvised shelters and inadequate relief provisions. More resources are needed to increase the capacity of relief agencies and NGOs to respond to their needs. Over half a million Sierra Leoneans have fled as refugees to neighbouring countries, mostly to Guinea, a country that has assumed a very heavy burden on behalf of the international community. The donor community needs to provide more support to Guinea as a host country and to UNHCR to better enable them to shoulder this responsibility.

Rehabilitation of basic educational and medical services. Basic social facilities and services were largely destroyed during the years of war. The rehabilitation of services that benefit children, especially educational and medical facilities, particularly in rural areas, should constitute a clear priority in the post-conflict recovery programme.

Reinforcing traditional norms. The conduct of the war, particularly the horrific atrocities, has radically undermined local value systems within Sierra Leonean society - values that traditionally have provided for the protection of civilian populations, especially children and women. All necessary support should be extended to elders, local chiefs, teachers, local NGOs and religious institutions that are working to reclaim and reinforce these traditional norms and values. This community-based process should then be integrated into and reinforced by contemporary norms that have been developed at the international level.

Neighbourhood Initiative. In many internal conflicts, the victimization of children is often aggravated by cross-border activities. In this context, the Special Representative has proposed the development of concrete "neighbourhood initiatives" within affected subregions, to protect children from cross-border threats. In the neighbourhood comprising Sierra Leone, Liberia and Guinea, such issues include: small arms flows, refugee movements, cross-border recruitment of child soldiers, family tracing and reunification. An inter-agency mission will soon visit the subregion to assess and propose concrete initiatives for this purpose.

Voice of Children' project for Sierra Leone. The Special Representative has been struck by the hunger for information, recreation and entertainment among children in situations of conflict and its aftermath. The Special Representative has therefore proposed the establishment of a radio station and programmes devoted chiefly to the needs and interests of children: to give them a voice, offer educational and entertainment programmes, and promote reconciliation. A "Voice of Children" project needs to be developed for the children of Sierra Leone.

Parliamentary Action for Children. This group was constituted on the occasion of the Special Representative's previous visit to Sierra Leone. It has become an effective advocacy group on behalf of children in and outside Parliament. The group needs support to strengthen and expand its activities.

Providing training for the new national army. The Government and the Chief of Defence Staff, Brigadier-General Maxwell Khobe, have reiterated the commitment they made during the Special Representative's visit last year to accept assistance from United Nations agencies and relevant NGOs for training on humanitarian and human rights standards. This programme will now be organized and led by UNOMSIL (Human Rights Unit) and UNICEF.

Special fund for war victims. Under the Lomé Peace Agreement, the parties made a commitment to set up a special fund for war victims. There is an urgent need for the early establishment of this fund; within that context particular priority should be given to the special needs of amputees, sexually abused children and women, and seriously traumatized children.

13. For the above agenda to be implemented, three prerequisites must be met. First, there is a need to establish confidence in the peace process. It is crucial that the key political leaders demonstrate their commitment to the Lomé Agreement by taking bold steps toward its implementation. In this regard, the Special Representative welcomes the return of Corporal Foday Sankoh and Major Johnny Paul Koromah to Freetown on 3 October 1999; this was a great relief for the people of Sierra Leone and a critical element for generating confidence in the peace process. Second, a credible level of security needs to be re-established in the country. Above all, this means disarmament - many Sierra Leoneans believe that without disarmament, they remain highly vulnerable as the armed groups might reverse the little progress made so far. It is therefore very urgent to embark on an effective programme of disarming and demobilizing the combatants. Third, translating this agenda into action will require serious commitment and concerted efforts on the part of national actors and the international community.

IV. GENERAL OBSERVATIONS

14. The particular fate of children is being played out in a broader context of war and peace in Sierra Leone. The following are some of the observations of the Special Representative concerning that broader context.

15. ECOMOG-United Nations relationship. The future relationship between ECOMOG and the United Nations needs to be defined and clarified, the sooner the better, if the DDR process is to proceed smoothly, and for the sake of local confidence in the peace process. There seems to be some measure of confusion about the role envisaged for ECOMOG in the DDR process. There also is a perception within ECOMOG that the force is perhaps being edged out of this process.

16. Concern over DDR. Along with acute anxiety over disarmament, Sierra Leoneans are concerned about the overall implementation of the DDR programme. According to the National

Commission on DDR, this programme was scheduled to begin officially on 28 September 1999. Twenty-seven reception centres (locations for collecting arms) and 10 demobilization centres (where disarmed combatants stay for 3-6 months) have now been designated, and four of the demobilization centres were expected to be operational by 28 September. Still there is uncertainty about the division of labour among the key actors, capacity to handle the heavy caseload, resource availability and timetable for the programme. This is in addition to conflicting views over whether the ex-rebels will disarm to ECOMOG.

17. Possible rift within the rebel ranks. There are signs of a rift in the RUF/AFRC alliance. Recent developments, such as the detention of some members of the RUF high command and the holding of UNOMSIL men and a helicopter, lend credence to this suspicion. The AFRC faction is apparently complaining about their being "marginalized" in the peace agreement signed in Lomé. This apparent rift could pose a serious threat to the peace process, if it is not nipped in the bud.

18. Issue of amnesty. The Special Representative was struck by the fact that in every discussion he had, the issue of the blanket amnesty granted under the Lomé Agreement was never raised by his interlocutors; on each occasion the Special Representative was the one who posed the question. Clearly, the overwhelming preoccupation for Sierra Leoneans is the ending of the war and the re-establishment of security. Typically, they would say, "We had to swallow a bitter pill for the sake of peace", "We had to do whatever it took to end this war", or "That was the price we had to pay to end the atrocities". Many appear to have resolved not to seek the punishment of the perpetrators of these atrocities, believing that justice would come through "divine" means. The Sierra Leoneans are obviously very lucid about the very high price they have had to pay to end the war and the attendant atrocities. It is too early, however, to tell how the amnesty issue will develop in the long term.

19. Weakened capacity of national institutions. Most national institutions have been greatly weakened and it will take time and much effort to rebuild their capacities. A lot of support from the international community will be required for this effort.

20. Need for better communication. There is a real need for better and more effective communication at all levels, in order to keep the people and the parties concerned informed of what is going on and what to expect. The President is keenly aware of this problem, which is partly due to the lack of technical capacity to disseminate information across the entire country. This problem is also noticeable within the RUF/AFRC ranks, where those behind the lines are not always informed of the latest developments and decisions taken by their leaders.

21. Collaboration between local and international agencies. There was a noticeable gap between local NGOs and their international counterparts, as well as United Nations agencies. There are differences in perspectives. This problem was apparent during the previous visit of the Special Representative as well. While international agencies are generally satisfied with the present level of coordination and collaboration with their local counterparts, local NGOs and civil society leaders on the other hand tend to complain about lack of recognition for their role and lack of access to resources. They argued that bilateral donors should view their problem

within the context of aid and development rather than relief. This proble needs to be addressed in view of the shared commitment to build local capacity, local ownership, and genuine partnership.

22. Problem of "centre" and "periphery". Sierra Leone has traditionally suffered from a legacy of a concentration of development resources in the Freetown area, as compared to the situation in the countryside and rural areas. This imbalance needs to be addressed in the distribution of resources, services and opportunities in the post-war rebuilding process, especially for the benefit of all children. The resuscitation of agricultural development, health facilities and schools would contribute significantly to the development of the rural areas.

23. Comparison with Kosovo. The Special Representative discovered that Sierra Leoneans, at all levels, were remarkably well informed about Kosovo. Everywhere the Special Representative went, he was challenged to explain perceived differences in the attitude and response of the international community with regard to the needs of children in the two situations. This experience underscores the critical need for the international community, in order to maintain credibility and solidarity, to be seen to be responding with the same level of concern wherever children are in need of protection and support.

24. Guinea's support for refugees. Guinea has assumed a major responsibility for refugees, currently it hosts more than half a million people from Sierra Leone and Liberia who are officially registered with UNHCR, in addition to a significant number of unregistered persons who have also fled from neighbouring countries. The population of officially registered refugees now constitutes more than 10 per cent of the total population of Guinea. Yet, the Special Representative was struck by the excellent rapport between the local populations and the refugees. In the prefecture of Kissidougou, for example, the Special Representative learned that the local community had decided to have their children attend school only a half-day (in the morning) in order to allow refugee children to use the same school facilities in the afternoon. The sheer magnitude of the number of refugees in Guinea, however, has begun to cause significant stress on the economy, social services, the environment and security. Guinea deserves more recognition and support for its role and solidarity, and UNHCR needs more resources to provide for the refugees in the country.

V. CONCLUSION

25. There are three other impressions the Special Representative would like to underscore about the situation in Sierra Leone.

26. First, the "crisis of young people". Apart from the imperative of re-establishing credible security and peace, the "crisis of young people" - the desperate conditions of young children and adolescents - is perhaps the most important challenge facing Sierra Leonean society today.

27. Second, Sierra Leone's "hidden strong points". In spite of the nightmare that the country has gone through, Sierra Leone has several "hidden strong points", which have survived the war. Amongst them are: an elected Government that enjoys legitimacy within the population; a strong and active civil society; a fabric of national cohesion, without significant polarization along ethnic or religious lines; a land endowed with rich soil and considerable mineral resources;

and a tradition of higher education - after all, Fourah Bay College was for several decades a leading regional centre of excellence for West Africa. Of course, none of these strong points can "kick in" without the prerequisites of peace and security being put in place.

28. Third, atrocities against Sierra Leoneans. The diabolical atrocities committed in Sierra Leone were not the result of mass violence or intercommunal upheavals along ethnic or religious lines. Rather, they were the work of a small segment of the population - well armed, deeply alienated and bitter - unleashing organized and indiscriminate terror on the rest of society.

29. In conclusion, the Special Representative would like to make the following appeals on behalf of the children of Sierra Leone. He appeals to the political leaders to demonstrate their commitment to peace by taking bold and concrete measures to implement the Lomé Peace Agreement. He urges the leadership of the RUF and the AFRC to be honest with the children of Sierra Leone and acknowledge fully their role in the horrific atrocities committed during the war, most of them directed against children and women. Finally, the Special Representative addresses a particular appeal to the international community not to let down the children of Sierra Leone by again adopting a "wait-and-see" attitude. The Lomé Agreement is a fragile peace that requires a lot of local and international support for its implementation and consolidation.

ANNEX II

Mission report on the visit to Colombia

I. OBJECTIVES AND PROGRAMME

1. The Special Representative paid an eight-day visit to Colombia from 30 May to 6 June 1999. The visit had four main objectives:

(a) To assess first-hand and highlight the impact of the decades-long civil war on children;

(b) To identify concrete measures to ensure greater protection for war-affected children;

(c) To impress upon all parties to the conflict the importance of respecting humanitarian principles and norms;

(d) To ensure that the protection, rights and welfare of children are placed prominently on the peace agenda.

2. During his visit the Special Representative held talks with the President, H.E. Mr. Andrés Pastrana Arango; the Vice-President, Mr. Gustavo Bell Lemus; the High Commissioner for Peace, Mr. Victor G. Ricardo; the Commander-in-Chief of the Armed Forces, General Fernando Tapias Stahelin; and other senior officials. Mr. Juan Manuel Urrutia, Director-General of the Colombian Institute for Family Welfare (ICBF), joined me on several occasions. The Special Representative met with Comandante Raul Reyes, Spokesperson for the Revolutionary Armed Forces of Colombia (FARC), and Mr. Joaquín Gómez of the FARC, in the demilitarized zone in the south of the country. In the municipality of Apartado the Special Representative met with the Commander of the XVII Brigade, General Martín Orlando Carreno, and in Medellín with the Commander of the IV Brigade, General Herrera. In Medellín the Special Representative also met with Monseñor Alberto Giraldo, President of the Episcopal Conference, and representatives of the regional sections of the National Federation of Businessmen (FENALCO) and the National Association of Industrialists (ANDI). A meeting had been scheduled with another armed group, the National Liberation Army (ELN). The Special Representative cancelled this when the Government broke off all contact with the ELN as a result of their role in the kidnapping of some 140 people from the church of Santa María in Cali on 30 May.

3. Throughout his visit the Special Representative held discussions with the United Nations Country Team, international and local non-governmental organizations, community groups, social organizations, the Catholic Church, the business community and other members of civil society. The Special Representative also met with representatives of the diplomatic community in Bogotá, and the representatives of the ICRC and the European Commission.

4. The Special Representative arrived in Bogotá on 30 May, and was briefed by the United Nations Country Team, NGOs and government representatives during his first two days.

On 1 June, the Special Representative spent one full day visiting various communities displaced by the violence and living in camps and resettlement areas in the municipalities of Apartado and Turbo as well as in the "peace community" of San José de Apartado, in the Urabá region in the north-western part of the country. From Apartado, the Special Representative proceeded to Medellín (Antioquia), where on 2 June he met with representatives of the project "Fomenting a Culture of Peaceful Coexistence in Barrio Antioquia" and learned from young residents of the Antioquia/Trinidad urban community of their own efforts to break cycles of violence. The Special Representative met with former child combatants and other children in need of organized protection and services at the Hogar Laura Vicuna, a residential institution that forms part of the National Family Welfare System. The Special Representative held discussions with the business community, the regional military command and the municipal authorities. In the south of Bogotá later the same afternoon, the Special Representative visited the marginal (socio-economically deprived) municipality of Soacha, home to some 50,000 displaced persons. The following day he met with representatives of the FARC in La Machaca, near San Vicente del Caguán in the demilitarized zone; the Special Representative was accompanied by Dr. Victor G. Ricardo, the High Commissioner for Peace, who had facilitated the meeting with the FARC. On 4 June the Special Representative met with President Pastrana and senior government officials in Bogotá. The Special Representative spent 5 June in Quibdo, the main city in the Department of Chocó, one of the poorest departments in Colombia and home to a disproportionately large number of displaced persons, in the company of Senator Piedad Cordoba, who had just been released the previous day by paramilitary kidnappers.

5. The Special Representative was accompanied throughout his visit to Colombia by Mr. Francesco Vincenti, the United Nations Resident Coordinator in Colombia, Mr. Carel de Rooy, UNICEF Representative for Colombia, representatives of UNHCR and OHCHR, Mr. Andres Salazar, of the Department of Political Affairs, and Ms. Ilene Cohn and Ms. Johanna Brismar Skoog, Programme Officers in his Office. Ms. Catherine von Heidenstam, Chairperson of the working group on the elaboration of an optional protocol to the Convention on the Rights of the Child on the involvement of children in armed conflicts, participated in the first four days of the programme.

II. BACKGROUND

A. Overview of the conflict and the role of the United Nations

6. Colombia has endured over 40 years of armed conflict among left-wing guerrillas, government armed forces and paramilitary groups. The conflict has been characterized as "low intensity", disproportionately affecting outlying areas and peasant populations while having relatively less impact upon the lives of residents in the major urban centres.

7. Yet Colombia is one of the most violent countries in the world. Every year some 30,000 people suffer violent ends. Although only a portion of this figure is directly attributable to the armed conflict, the continued fighting has helped to create a climate of generalized violence and vicious cycles of revenge. The conflict itself has become complex and multifaceted. In addition to the decades-long struggle between guerrilla groups and government

forces, the more recent addition of paramilitaries and criminal groups involved in the drug trade and other illicit activities has further contributed to the "culture of violence" in which extraordinary levels of fear and impunity have become commonplace.

8. More recently, however, the intensification of violence, and particularly the acts committed by paramilitary groups, has produced increased popular consciousness of the need to achieve a negotiated settlement, which was manifested in broad popular expressions in support of peace. After several unsuccessful attempts to bring an end to the conflict, the current Government of Colombia responded by adopting the position that a negotiated solution is the only means of bringing peace to the country. To that end, the Pastrana administration has created a demilitarized zone the size of Switzerland, clearing all military and police forces from a jungle area south of Bogotá, to allow for negotiations with the largest guerrilla group, the Revolutionary Armed Forces of Colombia (FARC). Similarly, although with less success, the Government has taken steps to initiate a dialogue with the National Liberation Army (ELN).

9. The United Nations does not have a political role in Colombia and the parties to the conflict have expressed their desire to keep the Colombian peace process a national one. The United Nations supports the Government's efforts to achieve a negotiated solution to the country's long-standing conflict. The United Nations Country Team's programmes provide humanitarian assistance and development aid. The activities of UNHCR (present since January 1999) are limited to certain coordination activities in the field of human rights and assistance to internally displaced persons. The activities of the OHCHR office, established in 1996, include monitoring the human rights situation in order to advise the Colombian authorities on the formulation and implementation of policies, programmes and measures for the promotion and protection of human rights in the context of violence and internal armed conflict in the country.

B. Impact of the conflict on children

10. Throughout his visit the Special Representative witnessed how much children have been disproportionately affected by the conflict, and observed the particular ways in which the past 40 years of violence have taken their toll on Colombian children. Children are victims, witnesses, and at times perpetrators of extreme violence. Increasingly, they are drawn into combat as participants in the various armed groups. Whether for a lack of better alternatives or as a result of forced recruitment, these children are deprived of their childhood. Former child combatants risk detention and incarceration as well as reprisals and threats in the event they decide to separate from an armed group.

11. Among the many nefarious effects of Colombia's chronic violence on children are alarming rates of child prostitution, gang warfare, domestic violence, child abuse and neglect, drug abuse, and elevated numbers of street children who are often victims of "social cleansing" - the selective targeting and killing of socially marginal individuals or groups. Exposure to chronic and prolonged violence undoubtedly produces negative psychosocial outcomes in children and has contributed to the deterioration of the social structures on which children depend. The Special Representative was very impressed and moved by the incredible intelligence, cheerfulness, curiosity and eagerness to learn displayed by the children he met; this in spite of their intolerable conditions.

III. ON-SITE VISITS

A. Turbo

12. During his stay in Urabá, a region bordering the gulf of the same name on the Caribbean Sea in the northern department of Antioquia, the Special Representative visited a temporary settlement of persons displaced by the conflict. The camp, located near the town of Turbo, originally housed some 3,500 people who had fled from their homes in the nearby Department of Chocó in February 1997. Though some had moved to other locations, the 2,000 people remaining in the community had shared the space of a sports stadium for sleeping quarters for more than two years while they await favourable security conditions to return to their home areas. The services available in the camp were extremely limited and largely provided by Church groups and NGOs. The community complained of limited access to sanitation, basic medical treatment and lack of teachers. Lack of documentation, fear and discrimination often result in the exclusion of displaced children from schooling opportunities and access to schooling materials. Some of the displaced in Turbo were unwilling to give details about the circumstances of their displacement, apparently fearing that their security was compromised even at the camp. The Special Representative received reports of violent acts committed against the displaced persons in the camp by outsiders.

B. San José de Apartado

13. In Urabá, the Special Representative also visited the small community of San José de Apartado, one of several self-declared "peace communities" that profess neutrality in the conflict to avoid the violence by guerrilla or paramilitary groups. The Special Representative was briefed on this admirable and courageous initiative, which, unfortunately, has not been consistently respected by the different armed groups. As the Special Representative walked down the modest stony streets of the village, the community leader pointed out the site where several townsmen had been killed by paramilitary forces a few months earlier. He also heard three children tell horrific tales of the abductions and killings of their fathers. The community of San José asked the Special Representative to convey their plea for the respect of their neutrality to the different warring parties. The community's isolation and distance from any State authority often left them exposed to different armed groups; community leaders urged the Colombian authorities to ensure respect for their neutrality, and to take steps to ensure their security and to set up government offices in peace communities.

C. Medellín

14. The Special Representative visited the depressed, previously violence-ridden urban community of Antioquia/Trinidad in central Medellín, where the Special Representative met with a group of young people who had organized to rid their communities of the scourge of gang warfare common to urban areas overflowing with small arms and drug-trafficking. They explained that in 1997 alone, some 200 youths from their own community had died violently, largely at the hands of other youths. These particular young people had developed mechanisms for negotiated conflict resolution and their efforts had in some cases produced "non-aggression pacts" between gangs. The Special Representative was informed that as a result of their work, no youth had died as a result of gang violence in 1998. The Special Representative also learned

of the municipal authorities' intentions to support and widen such initiatives within the "Strategic framework for peace-building in Medellin-Colombia" being carried out by the Medellin Peace and Social Coexistence Office. In central Medellin, the Special Representative had the opportunity to visit a rehabilitation home for adolescent girls run by the local authorities. Many of these girls had been members of street gangs, sexually abused or prostitutes and were often addicted to various substances. Some of them had also previously served as combatants in guerrilla or paramilitary groups.

D. Soacha

15. In the municipality of Soacha, on the outskirts of Bogotá, the Special Representative visited the two neighbourhoods of El Oasis and El Progreso in the community of Los Altos de Cazucá, refuge to an estimated 50,000 displaced persons. Community members informed him that threats from the rebel groups to recruit teenage children, general insecurity and confrontations between paramilitary and guerrilla groups had caused their displacement. Schooling was a particular problem. In one of the neighbourhoods the Special Representative visited, in a school built by community volunteers, 375 children were taught by six volunteer teachers and shared one bathroom. Limited space and the prohibitive costs of enrolment (US$ 15/family/year) and mandatory school uniforms conspired to keep many children out of school.

E. Quibdo

16. The Special Representative spent the good part of a day in the city of Quibdo, in the Department of Chocó bordering Panama, at the invitation of Senator Piedad Córdoba, President of the Senate Human Rights Commission and a vocal advocate of human rights who had been kidnapped by the Autodefensas Unidas de Colombia (AUC) immediately prior to his arrival in Colombia and released the day before his visit to Quibdo. Chocó is rich in natural resources, but has long been plagued by heavy fighting and reports of widespread corruption. It has one of the largest populations of internally displaced persons; it is also home to the largest Afro-Colombian populations in the country. Senator Córdoba and the Special Representative met with women from a community that had been squatting in a vacant lot. They visited a community living in the municipal coliseum in extremely deprived, dangerously unsanitary conditions. People were sleeping on bare concrete, with no cooking facilities and without any sanitary facilities at all. The communities the Special Representative met had been displaced during the same wave of violence that caused the people he had met earlier in Turbo to flee their homes. Their horrendous conditions were the worst he saw during his mission and the people he met spoke angrily about what they considered to be indifference to their plight. The Special Representative also met with the Governor of Chocó and other senior officials. Except for Save the Children/UK, there was virtually no international presence here. The community voiced their demand for safe return to their villages and spoke bitterly about being "invisible" and the international community's refusal to address their plight.

IV. COMMITMENTS AND OUTCOMES

A. Discussion with the Government

17. During his discussion with the President of Colombia, Mr. Andrés Pastrana Arango, on 4 June, the Special Representative:

(a) Raised the issue of the enlistment in the armed forces of children under age 18. The Government responded with the announcement of a new policy, to take effect immediately, not to enlist young persons below the age of 18 in the armed forces, and to initiate the process of adapting the necessary legislation;

(b) Voiced his concern over reports of the use of landmines. General Tapias Stahelin, Commander-in-Chief of the Armed Forces, explained that the Government's use of landmines was restricted to the defence of vital installations and that it was difficult for the Government to control the opposition groups' use of mines. President Pastrana informed the Special Representative that the Government was actively exploring ratification of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and Their Destruction. In the meantime, the Special Representative urged all parties to refrain from the use of landmines;

(c) Appealed to the Government to prioritize children's concerns in policies and programmes, to dedicate the substantial resources necessary and to strengthen relevant institutions at local and regional levels. President Pastrana took the opportunity to instruct the Director of the Colombian Institute for Family Welfare (ICBF), Mr. Juan Manuel Urrutia, who was present at the meeting, to review the allocation of the ICBF resources in view of the concerns expressed by the Special Representative;

(d) Implored the Government to address the urgent needs of displaced communities, especially in terms of health, education, sanitary conditions, shelter, water, registration and economic opportunities. The Government should also ensure their physical protection and secure the conditions for their return or resettlement. President Pastrana indicated that his Government was working closely with the Social Solidarity Network, a government welfare agency, to address the urgent needs of the displaced and that they would continue to seek the support and advice of the United Nations in this regard;

(e) Urged the Government to address the issue of impunity and to take the necessary steps to prevent and investigate violations of humanitarian and human rights norms, in particular violations committed against civilian populations and human rights defenders, and to ensure that those responsible for such violations are brought to justice.

B. Discussion with the FARC

18. During his meeting with Comandante Raul Reyes, spokesperson for the FARC, and Mr. Joaquín Gómez in the demilitarized zone near San Vicente on 3 June, the Special Representative:

(a) Urged the FARC to observe humanitarian principles and norms in the conduct of war;

(b) Stressed the importance and urgency of achieving a political settlement of the protracted conflict. Comandante Reyes agreed, but argued that some political sectors of society remain firmly opposed to a negotiated solution;

(c) Implored the FARC to cease the recruitment and use of children. The FARC leadership explained that some young persons had been incorporated into their ranks for their own protection. The FARC accepted and announced that henceforth they would no longer accept or recruit young persons under age 15; the FARC subsequently issued a public communiqué confirming this undertaking;

(d) Urged the FARC to demobilize all underage children within their forces. The FARC expressed its openness to explore with the United Nations and relevant NGOs a process and framework for the eventual demobilization and rehabilitation of young persons below age 15 currently within their ranks.

19. In the course of the discussion, the idea of a mechanism for ongoing engagement of the United Nations in humanitarian assistance and protection issues emerged. Mr. Victor G. Ricardo, the High Commissioner for Peace, suggested that an existing comprehensive development project addressing environmental, health, education and sustainable development issues could provide a model for cooperation with the United Nations in the demilitarized zone. It was agreed that a tripartite Task Force would be established, comprising representatives of the Government, the United Nations and the FARC, to address urgent humanitarian needs in the demilitarized zone, focusing especially on the needs of children and women. A pilot project for this purpose is under discussion for the community of Rio Lozada Guayabero in the southern part of the demilitarized zone.

20. The significance of the meeting with the FARC leaders lies in the fact that for the first time, the United Nations has engaged the FARC directly, and at a high level, on issues of humanitarian principles and norms, and they have responded positively.

C. Placing the protection, rights and welfare of children on the peace agenda

21. In the discussions with the Government and the FARC, both parties agreed to place the protection, rights and welfare of children as a high priority on the peace agenda and throughout the process of consolidating peace.

D. Colombian civil society

22. Coalition on the protection of Colombian children. At the close of the Special Representative's visit, a broad coalition comprised of members of the United Nations Country Team, NGOs, representatives of civil society and other key actors was launched to coordinate and raise the profile of efforts to address the rights of children affected by the war in Colombia.

23. "Voice of Children" project. The Special Representative proposed the establishment of a radio station or programmes devoted mainly to the needs of children in Colombia. This would serve to give voice to children's concerns, offer education and entertainment, and promote tolerance and peaceful conflict resolution. The Special Representative urged the powerful and highly organized Colombian media to provide support to the "Voice of Children" project.

24. The business community. The Special Representative met with and urged members of the Colombian business community in Medellin to join forces with the United Nations system, government agencies and NGOs to provide economic opportunities for youth whose inability to participate in the nation's economic life draws them into armed groups, urban gangs, prostitution and other hazardous activities. The business leaders explained that their efforts to address the social and economic needs of their workers had been construed by various armed groups as undermining their self-proclaimed role as the sole advocates for the poor. As a result, they had been classified as military objectives. Businesses had been coerced into paying war taxes and had suffered threats, violence against people and property, and kidnappings. However, they continued to invest in the advancement of the workforce, and would consider developing specific projects within their regions benefiting children and the internally displaced.

25. The United Nations Country Team. The Special Representative urged members of the United Nations Country Team:

(a) To respond to some of the very basic needs of the displaced communities in Colombia;

(b) To focus their humanitarian and development assistance on the most vulnerable populations: internally displaced, women and children;

(c) To advocate to ensure that the protection, rights and welfare of children figure prominently on the peace agenda.

26. The international community. The Special Representative urged donor Governments and other Governments with particular interest in the Colombian peace process:

(a) To consider making explicit their offer of sustained financial and technical support for programmes that address the needs of war-affected children and that derive from the peace process;

(b) To bring political pressure to bear on the various parties to the conflict to help ensure that they adhere to minimum standards of humanitarian law relevant to children and the civilian population generally;

(c) To advocate to ensure that the protection, rights and welfare of children figure prominently on the peace agenda.

V. FINDINGS AND RECOMMENDATIONS

A. Addressing the situation of internally displaced communities

27. Colombia has one of the largest populations of internally displaced persons (IDPs) in the world - victims of war or "land cleansing". Children comprise the majority of the estimated 1.2 million persons who have been forcibly displaced within Colombia over the past 10 years. Most of the internally displaced have fled to urban centres where they have been forced to inhabit peripheral, economically depressed communities. The failure to register and provide documentation to all displaced persons deprives many children of access to basic rights and services such as schooling, health and sanitary living conditions. Improvised classes are often the only schooling available to displaced children.

28. The displaced communities in Colombia are largely on their own. Apart from some NGO presence and the Catholic Church, the communities the Special Representative visited in Soacha, Turbo and Quibdo obtain little or no assistance from the Government or the international community. The Special Representative urged the Government of Colombia, the United Nations agencies and the NGOs to make the protection and assistance of displaced persons an urgent priority issue and to employ the Guiding Principles on Internal Displacement. The Special Representative's visit immediately followed that of Mr. Francis Deng, Representative of the Secretary-General for internally displaced persons, with whose recommendations for improving the situation of Colombia's IDPs the Special Representative concurs. In particular, the Special Representative agrees that while Colombia is to be lauded for its adoption of progressive legislation on the protection of internally displaced persons (Law 387), the full implementation of this law should be of the highest priority for the Government of Colombia.

29. The situation of IDPs in Colombia underscores once again that the time has come for the international community to develop a more systematic response and framework for providing protection and practical support to internally displaced persons, the vast majority of whom are children and women.

B. Protection of the civilian population and humanitarian workers

30. There is mounting evidence that civilian populations are coming increasingly under fire and suffering direct attacks by the various armed groups. The Special Representative also received many reports of other grave violations of humanitarian law by guerrilla and paramilitary groups that function with broad impunity. The Special Representative was particularly concerned at the systematic intimidation and killings of human rights and child rights advocates. He conveyed the deep preoccupation of the international community concerning the protection of civilian populations in the midst of armed conflict, particularly the protection of the most vulnerable - children, displaced populations and women.

C. Political abductions

31. Abductions for political and financial motives have become a chronic affair in Colombia. Given a number of recent political kidnappings, the Special Representative issued several public statements strongly condemning hostage-taking as a means of conducting political struggle, called for the release of all hostages, and drew particular attention to the plight of the children among them. In all of his meetings and public statements the Special Representative conveyed the international community's rejection of kidnapping as an act that terrorizes communities, stigmatizes the abductors and ultimately hurts their causes and he strongly condemned the ELN's failure to release immediately several children among the group of parishioners kidnapped on 31 May.

D. Addressing the needs of children in situations of protracted conflict

32. Colombia is one of many countries caught in the grip of protracted conflict and an uncertain transition to peace. Donors and multilateral institutions are often reluctant or unable to bridge this "relief-to-development gap" that is often marked by inadequate funding. This means that the needs of Colombian children may not be systematically addressed for years. Child protection must not await the attainment of a firm peace. The prevailing policy of development assistance must be adjusted so that the long-term needs of Colombian children, especially the internally displaced, with regard to health, education, resettlement and rehabilitation, are effectively addressed.

E. Ending conflict and achieving social justice

33. Throughout his visit to Colombia, the Special Representative was deeply impressed by the palpable and virtually universal yearning for peace and social justice. Yet it is clear that only in conditions of peace will the Colombian people be able to address the fundamental issues of social justice and inclusion within the society.